

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
Asheville Division

FILED  
ASHEVILLE, N.C.  
JUN 23 2009  
U.S. DISTRICT COURT  
W. DIST. OF N.C.

IMRAN ALAM,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

No. 1:09cv114  
(1:07cr119)

**ORDER**


The matter is before the Court on petitioner Imran Alam's motion to vacate, set aside, or correct sentence, pursuant to 28 U.S.C. § 2255, for ineffective assistance of counsel.

For the reasons stated in the accompanying Memorandum Opinion of even date,

It is hereby **ORDERED** that petitioner's motion to vacate, set aside, or correct sentence pursuant to § 2255 is **GRANTED**; accordingly, petitioner's conviction and sentence are **VACATED**, and the Clerk is **DIRECTED** to return No. 1:07cr119 to the Court's active docket and schedule the case for trial during the September 2009 term in the Asheville Division.

The Clerk is directed to send a copy of this Order and the Memorandum Opinion to all counsel of record.

June 23, 2009  
Alexandria, VA

  
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T. S. Ellis, III  
United States District Judge